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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,304	11/06/2003	Kuo Chuan Wu	WU, K. ET AL - 1 / BA-228	7991
7590	11/28/2005		EXAMINER	
BUCKNAM AND ARCHER 1077 Northern Boulevard Roslyn, NY 11576-1696			AUVE, GLENN ALLEN	
			ART UNIT	PAPER NUMBER
			2111	

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/702,304	Applicant(s) WU ET AL.	
	Examiner Glenn A. Auve	Art Unit 2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION***Drawings***

1. The drawings are objected to because in figure 1, element 10 is referred to as "multi-function video panel controller (VPC)", however the specification and claim 1 equate the abbreviation VPC with something called "vision process controller". Either the drawing or the specification should be corrected. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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3. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is rejected because it is not clear whether the "a microprocessor " on line 5 is the same as "a microprocessor" recited on line 7. As a result, "said microprocessor" on lines 10 and 11, and "the microprocessor" on line 10, lack positive antecedent basis.

Claim 1 is also rejected because it is not clear what is meant by "the microprocessor performs the above functions independent" on lines 10-11. Also, in claim 1, line 1, it is not clear what is meant by "A multi-functional optical disk driving device, used for personal computer (PC)". Specifically the phrase "used for personal computer" is unclear and does not appear to be grammatically correct.

Claims 2-7 are rejected because they depend on claim 1.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Although the claims have been rejected under 35 USC 112, 2nd paragraph, for the purposes of the prior art rejection the claims have been interpreted as best they can be understood by the examiner.

6. Claims 1,2,4, and 5 are rejected under 35 U.S.C. 102(a) as being anticipated by applicant's admitted prior art (AAPA).

As per claim 1, AAPA shows a multi-functional optical disk driving device, used for personal computer (PC), which has functions of a compact-disk (CD) driver, a digital versatile disk (DVD) driver, a frequency modulated (FM) radio, a MP3 music CD player, said device comprises: a multi-functional vision process controller (VPC) with a PC power on status detector, a microprocessor, an optical disk server; a bus switch, connected between standard interfaces of the PC and the optical disk server, and a microprocessor, for control of on/off of the bus switch, characterized in that said vision process controller (VPC) can disconnect the standard interfaces between said PC and said optical disk server by means of controlling the bus switch via said microprocessor when the PC is off, and the microprocessor performs the above functions independent; and said microprocessor controls said bus switch to connect the standard interfaces between said PC and said optical disk server when PC power on state is detected by the PC power on status detector, and the above functions are performed by said PC (all in fig.1 which is labeled as "Prior Art" and paragraph [0027] as it is numbered in the Patent Application Publication for the instant application (US 2004/0093448)). AAPA shows all of the elements recited in claim 1.

As for claim 2, the argument for claim 1 applies. AAPA also shows that said personal computer (PC) includes any one of Table Top PC, Notebook PC, and Tablet PC (fig.1 and paragraph [0027]). AAPA shows all of the elements recited in claim 2.

As for claim 4, the argument for claim 1 applies. AAPA also shows that said optical disk server includes any one of CD-ROM, DVD-ROM, DVD-R, DVD-RW, DVE+R, DVD+RW, and DVD-RAM servers (fig.1 and paragraph [0027]). AAPA shows all of the elements recited in claim 4.

As for claim 5, the argument for claim 1 applies. AAPA also shows that the functions of mode selection, adjustment control, and status indication are provided on a panel of said optical disk driving device (fig.1 and paragraph [0027]). AAPA shows all of the elements recited in claim 5.

7. Claims 1,2, and 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Shen, U.S. Pat. No. 6,414,675 B1.

Since claim 1 is drafted as a Jepson style claim it is assumed that the elements recited in the preamble are admitted prior art. Also, because applicant has not perfected foreign priority this rejection is being made under 35 U.S.C. 102(b), however should applicant perfect priority the rejection would be converted to a 102(e) rejection. As per claim 1, Shen shows a multi-functional vision process controller (VPC) with a PC power on status detector (col.3), a microprocessor (74), an optical disk server (58); a bus switch (72), connected between standard interfaces of the PC and the optical disk server, and a microprocessor, for control of on/off of the bus switch, characterized in that said vision process controller (VPC) can disconnect the standard interfaces between said PC and said optical disk server by means of controlling the bus switch via said microprocessor when the PC is off, and the microprocessor performs the above functions independent; and said microprocessor controls said bus switch to connect the standard interfaces between said PC and said optical disk server when PC power on state is detected by the PC power on status detector, and the above functions are performed by said PC (col.3,lines 25-37). Shen shows all of the elements recited in claim 1.

As for claim 2, the argument for claim 1 applies. Shen also shows that said personal computer (PC) includes any one of Table Top PC, Notebook PC, and Tablet PC (abstract, col.3, and fig.4,(50)). Shen shows all of the elements recited in claim 2.

As for claim 4, the argument for claim 1 applies. Shen also shows that said optical disk server includes any one of CD-ROM, DVD-ROM, DVD-R, DVD-RW, DVE+R, DVD+RW, and DVD-RAM servers (col.3). Shen shows all of the elements recited in claim 4.

As for claim 5, the argument for claim 1 applies. Shen also shows that the functions of mode selection, adjustment control, and status indication are provided on a panel of said optical disk driving device (col.3-4). Shen shows all of the elements recited in claim 5.

As for claim 6, the argument for claim 1 applies. Shen also shows that said PC power on status detector is used to detect the voltage of a power supply unit in the personal computer or the reset signal (HRST) of host computer received from a bus which is connected between said personal computer and the vision process controller so as to assure the power on status of the personal computer (col.3-4). Shen shows all of the elements recited in claim 6.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Applicant's Admitted Prior Art (AAPA) further in view of Enami et al., U.S. Pat. App. Pub. No. 2004/0221180 A1, and what was well known in the art.

As for claim 3, the argument for claim 1 applies. Shen does not specifically show that the said standard interfaces are an ATAPI-IDE or serial ATA, and USB 1.1/2.0 and IEEE 1394 standard interfaces the personal computer. However AAPA shows that it was known in the prior art that the ATAPI-IDE interface is used for CD-ROM drives (in paragraph [0007]). Enami shows that it was also known in the prior art at the time of the invention to use a USB connection to couple a CD-Rom device to a personal computer (abstract). Official Notice is also taken that it was well known in the art at the time of the invention to use an IEEE 1394 interface to couple a disc device to a computer. Since AAPA, Enami, and what was well known in the art show that the standard ATAPI-IDE, USB, and IEEE1394 interfaces were used to couple disc devices to a computer, it would have been obvious to one of ordinary skill in the art at the time of the invention to use these standard interfaces for the CD drive of Shen in order to make the CD device compatible with a broad range of available peripheral coupling standards.

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of AAPA.

As for claim 7, the argument for claim 1 applies. Shen generally shows a connecting device with a power connector in that the power supply (80) is coupled to the drive as well as some sort of analog audio output connector that couples to the speakers (54) and/or headphone jack (56). However, Shen does not appear to show a SPDIF (Sony-Philips Digital Interface) connector, wherein said connecting device includes a dominator connector, the dominator connector having a control bus and an output bus, by which the extensibility of the optical disk

driving device can be increased. However, AAPA shows these elements (in paragraph [0007]). It would have been obvious to one of ordinary skill in the art at the time of the invention to include a SPDIF (Sony-Philips Digital Interface) connector, wherein said connecting device includes a dominator connector, the dominator connector having a control bus and an output bus, by which the extensibility of the optical disk driving device can be increased as shown by AAPA in the system of Shen in order to allow for both analog and digital outputs.

Conclusion

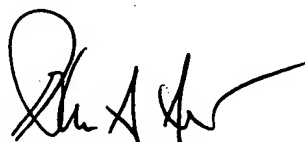
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The other cited references show computers in which the CD drive can operate even when main power to the computer is shut down or the computer is in a low power consumption mode.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn A. Auve whose telephone number is (571) 272-3623. The examiner can normally be reached on M-F 8:00 AM-5:30 PM, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (571) 272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Glenn A. Auve', with a long horizontal flourish extending to the right.

Glenn A. Auve
Primary Examiner
Art Unit 2111

gaa
22 November 2005